Summary of the Report of

The Joint Interim Committee on Hazardous Waste

Representative Bill Ransdall, Chair
Senator Joe Maxwell, Chair

January, 2000

The state fees that fund hazardous waste management and remediation of contaminated sites are not generating sufficient revenue to meet current needs, but the Department of Natural Resources (DNR) and industry have not been able to agree on how to restructure the fees to provide adequate funds. To study this issue and other aspects of hazardous waste management, the committee heard testimony from DNR, industry, and the public, and visited hazardous waste sites and management facilities around the state. The committee's findings were as follows:

- Planning: The committee believes that continued, prompt remediation of contaminated sites is essential to protect public health and the environment, and recommends that DNR develop and maintain a continually updated remediation plan with 1-, 5-, and 10-year activity and cost projections. Beginning December 15, 2000, the plan should be presented annually to the General Assembly.

- Site Development: The committee recognizes the economic benefits of redeveloping remediated sites, but is also concerned about continued effects of contamination on public health. The committee recommends that the General Assembly undertake a review of development in and around known contaminated sites, including procedures of property transactions and involvement of the private sector and state and local governments.

- Funding: The committee recognizes that current funding is not adequate for regulation of currently generated waste or ensuring prompt remediation of contaminated sites. The committee believes that it is possible to change the current fee structure to provide additional revenue, simplify reporting and collection procedures, and avoid inequities, both among competing businesses and in alignment of those paying fees with services provided by those fees. The committee recommends that the final details of proposed changes in the fee structure be negotiated in good faith by the affected businesses, DNR, and members of the General Assembly, and that the negotiations include discussion of the following issues: use of general revenue, better cost recovery for DNR activities at regulated facilities, fee adjustments with inflation, removal of potential conflicts between state and federal law, fees for transporters of hazardous materials and other substances, fees for registration of generators not currently producing waste, minimal fees for small generators, fee exemptions for fuel blenders, company and facility fee caps, and the ramifications of a change from the current generator-based fee structure to a disposal-based fee structure.

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